

Reissue Application Number 10/621,105
Reexamination Control Number 90/006,089
Amendment dated 29 November 2006
Reply to Communication of 29 September 2006

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Remarks

Statement of the Status of the Claims Pursuant to 37 C.F.R. § 1.173(c).

Claims 1–15 were issued in U.S. Patent 6,258,082, and remain pending herein. As shown in the listing of claims beginning on page 3 of this paper, Applicant has amended Claims 3–10, 12 and 13, and has added new Claims 16–18. No claims have been cancelled. Accordingly, Claims 1–18 are now pending in the present application.

Statement of Support for Claim Changes Pursuant to 37 C.F.R. § 1.173(c).

Applicant has amended Claims 3–10, 12 and 13. The scope of these amended claims encompasses subject matter which was previously disclosed but not claimed. The Applicant therefore submits that no new matter is introduced by these claims. In particular, the Applicant notes that all of these amended claims are dependent from amended independent Claim 3. Claim 3 is fully supported by the various exemplary embodiments disclosed with reference to the figures and text of the specification. For instance, Applicant refers specifically to 8:40–58 and 9:45–48 of the issued patent.

Applicant has also added new Claims 16–18, which recite subject matter previously disclosed but not claimed. The limitations provided within these claims are supported by the specification of the patent, and the Applicant refers specifically to 9:48 with respect to Claim 16, to 8:57 with respect to Claim 17, and to 9:6 with respect to Claim 18.

Applicant therefore submits that the amended claims are appropriately supported by the specification of the parent patent.

Claim Rejections based on a Defective Reissue Declaration.

Claims 1–18 stand rejected as being based upon a defective Reissue Declaration. Submitted herewith is a Supplemental Reissue Declaration that identifies at least one error which is relied upon to support the reissue application, as required by 37 C.F.R. § 1.175(a)(1). The Supplemental Reissue Declaration submitted herewith also complies with the review and understand clause of 37 C.F.R. § 1.163(b)(2).

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Therefore, Applicant respectfully requests that these rejections to the Reissue Declaration be withdrawn.

Double Patenting Claim Rejections.

Claims 3–18 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1–30 of U.S. Patent 6,745,775, and over Claims 1–23 of U.S. Patent 6,263,879 (as amended in reexamination). Applicant has submitted herewith terminal disclaimers in compliance with 37 C.F.R. § 1.321(c), and therefore respectfully requests that these double patenting rejections be withdrawn.

Conclusion.

Based on the foregoing, the Applicant submits that the issues raised in the 29 September 2006 Office Action have been fully addressed. However, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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